

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:94-00007

BILLY G. REED

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On December 18, 2014, the United States of America appeared by John J. Frail, Assistant United States Attorney, and the defendant, Billy G. Reed, appeared in person and by his counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by Senior United States Probation Officer Douglas W. Smith. The defendant commenced a sixty-two-month term of supervised release in this action on November 28, 2011, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on September 4, 2009.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the state and local offense of fleeing in a vehicle as evidenced by his plea of guilty in Kanawha County Magistrate Court on October 10, 2012, for which he received a sentence of 30 days imprisonment and a \$500 fine; and (2) the defendant committed the federal and state offense of first degree robbery as evidenced by his plea of guilty on September 2, 2014, in the Circuit Court of Kanawha County for which he received a determinate sentence of 13 years and 300 days; all as admitted by the defendant on the record of the hearing and as set forth in the petition on supervised release and amendment thereto.

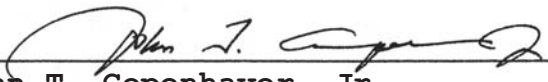
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of TWENTY-SIX (26) MONTHS, which term of imprisonment shall run consecutively to the undischarged state sentence that he is currently serving.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: December 30, 2014



John T. Copenhaver, Jr.
United States District Judge